

EXHIBIT 'A'

LEASE AGREEMENT

THIS AGREEMENT is between the CITY OF PORTLAND, OREGON, a municipal corporation, (City), and NE UNION AVENUE PARKING ASSOCIATION (Association), by and through its individual members.

RECITALS

1. The City in conjunction with the State of Oregon is improving portions of NE Union Avenue which abut businesses operated by the Association. As a result of the improvements to NE Union Avenue, on-street parking will be eliminated.

2. The City of Portland is in the process of obtaining real property abutting Union Avenue which it is willing to provide for off-street parking purposes.

3. The Association has expressed its desire to maintain and operate the City property as an off-street parking lot.

AGREEMENT

1. The Association shall lease from the City of Portland, for parking lot purposes, for the sum of \$1.00 per year, for five (5) years, certain real property owned by the City of Portland described as:

Lots two (2), and three (3), Block twenty-two (22), Lincoln Park, in the City of Portland, Multnomah County, Oregon.

2. The Association will maintain the parking lot, keeping it clean and in good repair.

3. It is intended by the parties that the parking lot will be used for the benefit of the general public for the short-term parking of motor vehicles, and the Association shall use whatever reasonable means as are necessary to prevent inconsistent uses of the lot. The Association may prescribe reasonable rules governing such parking, including time limits, and may provide for the towing of unauthorized vehicles at the owner's expense; HOWEVER, all such rules shall be posted on the lots. The Association may impose a fee for parking only to the extent necessary to provide revenues for lot maintenance and operation.

4. The Association, by and through its individual members, agrees to indemnify and hold harmless the City of Portland, its officers and employees against all damages, costs and expenses whatsoever which may arise out of or result from the Association's use of the property.

5. In the event of a breach of any material condition hereof by the Association, the City may revoke this agreement after thirty (30) days' written notice to the Association.

6. Any successor in interest of an Association member or any new members must become signators of this agreement.

7. It is understood by the parties that all Association members shall execute this instrument individually and shall be individually obligated by its terms and conditions.

CITY OF PORTLAND

NE UNION AVENUE PARKING ASSOCIATION

BY _____
Mayor

BY _____

Auditor

ORDINANCE No. 150150

An Ordinance authorizing an agreement with the NE Union Avenue Parking Association for the maintenance and operation of a public off-street parking lot on NE Union Avenue, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. As a result of proposed improvements to NE Union Avenue, on-street parking will be eliminated.
2. It is desirable to construct an off-street parking lot to supplant removed on-street parking where no other practical alternative is available.
3. The NE Union Avenue Parking Association has expressed interest in maintaining and operating the proposed parking lot.
4. Funds for construction of the parking lot are available within the NE Union Avenue Reconstruction Project. The cost will be shared 85% interstate transfer funds and 15% local match.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the Auditor are authorized to execute on behalf of the City, an agreement with the NE Union Avenue Parking Association, said agreement to be in accordance with the agreement marked Exhibit A and attached to the original only of this ordinance.
- b. The Council declares that an emergency exists because delay in executing this agreement could delay construction of the parking lot, therefore, an emergency exists and this ordinance shall be in force and effect from and after its passage by the Council.

ORDINANCE NO. 150150

CITY OF PORTLAND

Passed by the Council, **JUL 31 1980**

Commissioner Mike Lindberg
Victor F. Rhodes:lj
July 16, 1980

Attest:

Serge J. Gichard
Auditor of the City of Portland

Calendar No. 2749

ORDINANCE No. 150150

Title

An Ordinance authorizing an agreement with the NE Union Avenue Parking Association for the maintenance and operation of a public off-street parking lot on NE Union Avenue, and declaring an emergency.

JUL 30 1980

CONTINUED TO JUL 31 1980

JUL 24 1980

Filed

GEORGE YERKOVICH

Auditor of the CITY OF PORTLAND

Gordon Croell
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie		
Jordan		
Lindberg		
Schwab		
McCready		

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
Commissioner Mike Lindberg

NOTED BY THE COMMISSIONER

Affairs

Finance and Administration

Safety

Utilities

Works *MLM*

BUREAU APPROVAL

Bureau: Street & Structural Engineering

Prepared By: Victor F. Rhodes:lj Date: 7-16-80

Budget Impact Review:
 Completed Not required

Bureau Head: *D Vargas*
David J. Vargas, Acting Chief

NOTED BY

City Attorney

City Auditor

City Engineer *John M. Lang*
John M. Lang